

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

DAVID DIECKOW,  
Plaintiff,  
v.  
C. R. BARD, INC. AND BARD  
PERIPHERAL VASCULAR, INC.,  
Defendant.

Case No. 2:17-cv-03588-DGC  
MDL No. 2641

**STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiff David Dieckow (“Plaintiff”) and Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively, “Defendants”) stipulate and agree, by and through their undersigned counsel, that the above-captioned action should be dismissed without prejudice pursuant to Federal Rule 41. Each party shall bear its own costs, fees and expenses.

WHEREFORE, Plaintiff and Defendants respectfully request that the Court dismiss this case without prejudice.

Dated: September 19, 2018

Respectfully submitted,

/s/Debra Humphrey  
Debra Humphrey  
*Attorney for Plaintiff*  
MARC J. BERN & PARTNERS, LLP  
60 East 42nd Street, #950  
New York, New York 10165  
Tel: (212) 702-5000  
Dhumphrey@bernlpp.com

/s/ Richard North  
Richard B. North  
*Attorney for Defendants*  
NELSON MULLINS, LLP  
Atlantic Station, 201 17th Street NW  
Atlanta, GA 30363  
Tel: (404) 322-6233  
Richard.North@nelsonmullins.com